

## UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America )

v. )

TRANQUILINO LEON-VASQUEZ, )

a/k/a "Tranquilino Leon," )

a/k/a "Ervin Alexander Vasquez-Rodas," )

a/k/a "Ervin Vasquez" )

Case No. 17-506

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 1, 2017 in the county of Philadelphia in the  
Eastern District of Pennsylvania, the defendant(s) violated:

## Code Section

8 U.S.C. Section 1326(a)

## Offense Description

Tranquilino Leon Vasquez, an alien, and native and citizen of Honduras, who had previously been deported from the United States on or about March 18, 2004, and September 16, 2004, was found in the United States, having knowingly and unlawfully reentered the United States without first applying to the Attorney General or his successor, the Secretary for the Department of Homeland Security, for permission to reapply for admission, and without receiving in response the express consent to reapply for admission, in violation of 8 U.S.C. Section 1326(a).

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

Complainant's signature

Robert E. Wright, Deportation Officer

Printed name and title

Sworn to before me and signed in my presence.

Date:

April 7, 2017

Judge's signature

City and state:

Philadelphia, PA

HON. CAROL SANDRA MOORE WELLS, USMJ

Printed name and title

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AFFIDAVIT

1. I, Robert E. Wright, am a Deportation Officer (DO) of the Department of Homeland Security under Immigration and Customs Enforcement (ICE). I have been an Officer with Immigration and Customs Enforcement (ICE) since November of 2009. As part of my duties, I conduct investigations related to violations of the Immigration and Nationality Act, specifically foreign-born nationals that have been deported from the United States and subsequently reentered the United States illegally. I am currently assigned to the ICE Enforcement and Removal Operations (ERO) Philadelphia, Pennsylvania Field Office (ICE ERO/PHI) and my duties include investigating violations of Title 8 of the United States Code ("U.S.C") to include violations of immigration offenses.

2. This affidavit is made in support of a criminal complaint against Tranquilino LEON-VASQUEZ, also known as "Tranquilino LEON," "Ervin Alexander VASQUEZ-RODAS," and "Ervin VASQUEZ", (hereinafter "LEON-VASQUEZ"), where there is probable cause to believe LEON-VASQUEZ, an alien, re-entered the United States after deportation, in violation of Title 8, United States Code, § 1326(a).

3. On April 1, 2017, Supervisory Detention and Deportation Officer John Rife received information from the Philadelphia Police Special Victims Unit that LEON-VASQUEZ had been arrested by Philadelphia Police Department on March 31, 2017 for offenses Rape, IDSI, Contact with a Minor, Unlawful Restraint, False Imprisonment,

Indecent Assault, Endangering Welfare, Corruption of Minors, and Simple Assault.

LEON-VASQUEZ, in Philadelphia Corrections custody, was found to be a match to FBI#: 21853DC2.

4. On April 1, 2017, SDDO Rife conducted a check in National Crime Information Center (NCIC) for LEON VASQUEZ's criminal history, as well as immigration history. Under the FBI number provided (21853DC2), it was found that LEON-VASQUEZ had previous encounters with U.S. Immigration and Customs Enforcement and the U.S. Border Patrol. Further checks in the Enforcement Alien Removal Module (EARM) were conducted for LEON-VASQUEZ's immigration history in the United States. LEON-VASQUEZ was issued two alien numbers A# XXX XXX 209 and A# XXX XXX 029. SDDO Rife found that LEON-VASQUEZ had been removed from the United States under A# XXX XXX 029 on March 18, 2004 and September 16, 2004.

5. On April 3, 2017 your affiant received and reviewed the official documents from Alien File (A File) pertaining to Tranquilino LEON-VASQUEZ. This A File is maintained in the name of Tranquilino LEON-VASQUEZ and contains this individual's biographical information, family history, records of encounters with ICE, conviction documents, photographs and fingerprints. Based on the review of this A File, your affiant has concluded that it does in fact pertain to the individual in this matter. The A File reflects the following information relative to this individual:

a. LEON-VASQUEZ is a citizen and national of Honduras.

b. This Affidavit and the Complaint to which it is attached correctly reflect LEON-VASQUEZ's name.

c. LEON-VASQUEZ was arrested on October 31, 2003 by the Philadelphia, PA Police Department and was charged with Rape, Kidnapping Force Threat Deception, Statutory Sexual Assault, Sexual Assault, Interference with Custody of Children, Unlawful Restraint, False Imprisonment, Corrupting Minor, and Indecent Assault. On January 27, 2004, all of the aforementioned charges were withdrawn in the Court of Common Pleas of Philadelphia County.

d. The United States, pursuant to a "Warrant of Removal/Deportation", removed LEON-VASQUEZ on or about March 18, 2004, through New Orleans, Louisiana, to Honduras.

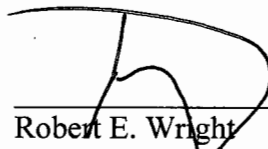
e. On August 16, 2004, LEON-VASQUEZ was apprehended by the U.S. Border Patrol at Roma, Texas. At the time of encounter, LEON-VASQUEZ admitted to illegally entering the United States by wading across the Rio Grande River. Ultimately, LEON-VASQUEZ was prosecuted for Illegal Entry, in violation of 8 U.S.C. 1325(a)(1), in the United States District Court, Southern District of Texas at McAllen, TX. LEON-VASQUEZ pleaded guilty and was sentenced to serve 10 days incarceration.

f. The United States, pursuant to a "Warrant of Removal/ Deportation", removed LEON-VASQUEZ on or about September 16, 2004, through Harlingen, Texas to Honduras.

g. LEON-VASQUEZ has since re-entered the United States on an unknown date, and did so without having obtained the advance permission of the Attorney General of the United States, or his successor, the Secretary of Homeland Security, to reapply for admission.

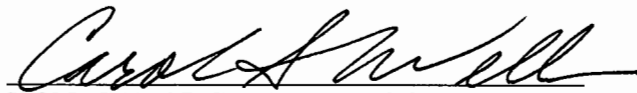
6. A search of ICE databases reveal that LEON-VASQUEZ did not seek permission of the United States Attorney General, or his successor, the Secretary of the Department of Homeland Security, to re-enter as required by 8 U.S.C. § 1360(d).

Based on all of the foregoing, your affiant believes that there is probable cause to conclude that Tranquilino LEON-VASQUEZ has committed the offense of illegal reentry into the United States after deportation, in violation of Title 8, United States Code, § 1326(a), and respectfully asks that this Honorable Court issue a warrant ordering his arrest for such crime.



Robert E. Wright  
Deportation Officer  
Immigration and Customs Enforcement

SUBSCRIBED TO AND SWORN TO BEFORE ME  
THIS 7<sup>th</sup> DAY OF APRIL 2017.



HON. CAROL SANDRA MOORE WELLS  
United States Magistrate Judge  
Eastern District of Pennsylvania